cept the chick, it would be agreeable to know whether a viper had impregnated the egg.

an de

But there is a still further objection, of whose soundness I have no doubt; but should I be in error in regard to it, the mistake will not invalidate any other argument. The parties to that agreement stipulat d on the ground of mutuality, without which all contracts are void. Some States were to be admitted to strengthen the hands of slavery, and some of freedom. A line of demarcation was drawn. Now, on investigation, I believe it will most conclusively appear that there is no an inch of Texan territory north of the stipulated line. It all belongs to New Mexico, as much as Nantucket or Berkshire belongs to Massachusetts. It was a mistake on the part of the contracting parties; if, on the part of Texas, it was not some thing worse than a mistake. The mutuality then, fails. The contract is nudum pactum. Texas can give nothing for what she was to receive; and is therefore, entitled to receive nothing but what she has got.

In regard to "the business of seeing that fugi tives are delivered up," Mr. Webster says: "My friend at the head of the Judiciary Committee Mr. Butler of South Carolina, has a bill on the subject now before the Senate, with some amendments to it, which I propose to support, with all its provisions, to the fullest extent." Here is Mr. Butler's bill, with Mr. Mason's

A BILL

To provide for the more effectual execution of the 3d clause of the 2d section of the 4th article of the Constitution of the United States.

clause of the 2d section of the 4th article of the Constitution of the United States.

Be it enacted by the Senate and House of Representative of the United States, of America on Congress assembled. That when a person heid to service or labor in any State or Territory of the United States, under the laws of such State or Territories, the person to whom such service or labor may be due, his or her agent or attorney, is hereby empowered to seize or arrest such fugitive from service or labor, and the him or her before any judge of the circuit or district courts of the United States, or before any commissioner, or clerk of such courts, or marshal thereof, or any postuaster of the United States, or collector of the enatoms of the United States, or collector of the enatoms of the United States, as the case may be, either by oral testimony or affidavit taken before and certified by any person authorized to administer an oath under the laws of the United States, or of any State, that the person so ceized or arrested to administer an oath under the laws of the United States, or of any State, that the person so ceized or arrested, under the laws of the State or Territory from which he or she fled, owe service or labor to the Estate or Territory from which he crash elicit is shall be the fulty of such judge, commissioner, clerk, marshal, postmaster, or collector, as gue highly the form service or labor to take State or Territory from which he crashed thereof to such chimant, his or her agent or attaining and removing such fugitive or labor to take State or Territory from which he crashed the service or labor, as mentioned in the first section of this act, shall secape from such service or labor to apply and territories and stream of the United States for a warrant for taking and removing such fugitive, may apply to any one of the officers mentioned in said first section, except the unarshal to whom the said warrant to seize and stream of application and affinitive more or labor to any begin and provided and prevant to any Be it enacted by the Senate and House of Representat ve

AMENDMENTS

intended to be proposed by Mr. Mason to the bill (S. 23) to provide for the more effectual execution of the third clause of the second section of the fourth article of the Constitu

At the end of section 5, add:
And any person or persons offending against the provisions of this section, to be moreover desmed guilty of a misdemeanor, or in obstructing the que execution of the laws of the United States, and upon conviction thereof shall be fined in the sum of one thousand dollars, one half whereof shall be to the use of the informer; and shall also be imprisoned to the control of the cont for the term of twelve months

It will be observed that the first section of the bill, after constituting the judges of the courts the seventeen thousand postmasters, the collectors, &c., as tribunals, without appeal, for the deliv ery of anybody, who is sworn by anybody, any where to be a fugitive slave, refers to the before mentioned officers in the words " residing or be ing within such State where such seizure or arrest is made." That is, the judge, postmaster, collector, &c., need not be an inhabitant of the State, or hold his office in the State, where the seizure is made; but it is sufficient if he is such officer anywhere within the United States. Mr. Butler or Mr. Mason, therefore, may send the postmaster of his own city or village, into Massachusetts, with an agent or attorney, who brings his affidavit from South Carolina or Virginia, in his pocket; the agent or attorney may arrest anybody, at any time, carry him before his ac-complice, go through with the judicial forms, and hurry him to the South ; the officer, after his ju dicial functions are discharged, turning bailiff. protecting the prey and speeding the flight!

this bill derides the trial, by jury secured by the Constitution. A man may not lose a horse without a right to this trial; but he may his freedom. Mr. Webster spoke for the South and for slavery ; not for the North and for freedom, when he abandoned this right. Such an abandonment, it would be impossible to believe of one who has earned such fame as Defender of the Constitution; it would be more reasonable to suppose the existence of some strange misappre-hension, had not Mr. Webster, with that precision and strength which are so peculiarly own, declared his determination to support this hideous bill, " with all its provisions to the full est extent," when, at the same moment, another bill, of which he took no notice, was pending before the Senate, introduced by Mr. Seward of New York, securing the invaluable privilege of

a jury trial.

I disdain to avail myself, in a sober argument. of the popular sensitiveness on this subject; and I acknowledge my obligations to the Constitution while it is suffered to last. But still I say, that the man who can read this bill without having his blood boil in his veins, has a power of refrigeration that would cool the tropics.

I cannot doubt that Mr. Webster will yet see the necessity of reconsidering his position, on this whole question.

Mr. Webster says: "It is my firm opinion this day, that within the last twenty years as much money has been collected and paid to the abolition societies, abolition presses, and abolition lecturers, as would purchase the freedom of every slave man, woman, and child, in the State Maryland, and send them all to Liberia. The total number of slaves in Maryland, ac

cording to the last census, amounted to 89,405. At \$250 apiece,-which is but about half the At \$250 apiece,—which is value commonly assigned to Southern slaves by Southern men,-this would be \$22,378,750. lowing \$30 each for transportation to Liberia, without any provision for them after their arrival there, the whole sum would be \$25,058,600-in round numbers twenty-five millions of dollars and about thirty-five hundred dollars per day. I had not supposed the abolitionists had such re

I have dwelt thus long upon Mr. Webster's speech, because in connection with his two votes in favor of Mr. Foote's committee of compromise, which votes, had they been the other way, would have utterly defeated the committee, it is considered to have done more to jeopard the great cause of freedom in the territories, than any other event of this disastrous session. I have spoken of Mr. Webster by name, and, I trust, in none when we are just entering the rapids, how can we

but respectful terms. I might have introduced arrest it when we come near the verge of the catother names, or examined his positions without nentioning him. I have taken what seemed to me the more manly course; and if these views should ever by chance fall under his eye, I believe he has magnanimity enough to respect me more for the frankness I have used. If I am wrong, I will not add to an error of judgment, the meanness of a clandestine attack. If I am right, no one can complain; for we must all bow

before the majesty of Truth. I have now noticed the principal events which have taken place in Congress, and which have led to what military men would call the "demoralization" of many of the rank and file of its members. Some recent movements have brought vividly to mind certain historical recollections in regard to the African slave trade, now execrated by all civilized nations. When the immortal Wilherforce exposed to public gaze the secrets of that horrid traffic, his biographer says, "The first burst of generous indignation promised nothing less than the instant abolition of the trade, but nercantile jealousy had taken the alarm, and the defenders of the West India system found themselves strengthened by the independent alliance of commercial men."-Life of Wilherorce, vol. I, page 291.

Again; opposition to Wilberforce's motion "arose amongst the Guinea merchants"—" reinforced, however, before long by the great body of West India planters."-Itid.

The Corporation of Liverpool spent, first and last, upwards of £10,000 in defence of a traffic which even the gravity and calmness of judicial ecisions have since pronounced "infernal."
" Besides printing works in defence of the slave

trade and remunerating their authors; paying the expenses of delegates to attend in London and watch Mr. Wilberforce's proceedings, they pensioned the widows of Norris and Gree, and voted plate to Mr. Penny, for their exertions in this cause" - Pad, page 315.
It is said that the Corporation of Liverpool, at

this time, "believed firmly that the very existence of the city depended upon the continuance Look at Liverpool now, and reflect what greater rewards, even of a temporal nature, God reserves for men that abjure dishon-

esty and crime.
All collateral motives were brought to bear upon the subject, just as they are at the present time. The Guinen trade was defended "as a nursery for seamen"—Pid., jutze 293.
Even as late as 1816, the same class of men, it

the same country, opposed the abolition of "white slavery" in Algiers, from the same base motives of interest. It was thought that the danger of navigating the Mediterranean, caused by the Barbary corsairs, was advantageous to British commerce; because it might deter the merchant ships of other nations from visiting it. After Lord Exmouth had compelled the Algeriacs to iberate their European slaves, he proceeded against Tunis and Tripoli. In giving an account of what he had done, he defends his conduct upon general principles," but adds, "as applyng to our own country, corese contain, it may not be borne out, the old mercantile interest Shows . . . Believe Low of Townsonders goods

So after Admiral Blake, in the time of Crom-well, had attacked Tunis, he says, in his despatch o Secretary Thurloe, "And now seeing it hath pleased God see signally to justify us herein, I hope his highness will not be offended at it, nor any who regard duly the honor of the nation, although I Thurlos's State Papers, Vol II, page 390
And is Commerce, the daughter of Freedom

thus forever to lift her parricidal hand against the parent that bore her? Are rich men forever to use their "thirty pieces of silver," or their "ten thousand pounds sterling," or their hundreds of thousands of dollars, to reward the Judases for betraying their Saviour? Viewed by the light of our increased knowledge, and by our more elevated standard of duty, the extension of slavery into California or New Mexico, at the present time, or even the sufferance of it there, is vastly greater crime than was the African slave trade itself, in the last century; and I would rather meet the doom of posterity, or of heaven, for being engaged in the traffic then, than for being accessary to its propagation now.

Let those who aid, abet, or connive at slavery extension now, as they read the damning sentence which history has awarded against the act ors, abettors and connivers of the African trade but change the names, and they will be reading of themselves. Should our new territories be hereafter filled with grouning bondmen, should they some an American Egypt, tyrannized over b for those who permitted it, to say, "We hoped, we supposed we trusted, that slavery could not go there;" Nemesis, as she plies her scorpion lash, will reply, " You might have made it certain?

On this great question of freedom or slavery I have observed with grief, nay, with anguish, that we, at the North, break up into heetile parties, hurl criminations and recriminations to and fro, and expend that strength for the ruin of each other, which should be directed against the enemies of Liberty; while, at the South, whenever slavery is in jeopardy, all party lines are oblite-rated, dissensions are healed, enemies become friends, and all are found in a solid column, with an unbroken front. Are the children of dark ness to be forever so much wiser than the chilfor the Nashville Convention, I have not seen a single instance where Whig and Democrat have not been chosen as though they were Siamese twins, and must go together. But here it often happens, that as soon as one party is known to be in favor of one man, this act alone is deemed a sufficient reason why another party should oppose him. Why can we not combine for the sa-ered cause of freedom, as they combine for slavery? No thought or desire is forther from my mind than that of interfering with any man's right of suffrage; but if (which is by no means impossible, nor perhaps improbable,) the fate of New Mexico should be decided by one vote, and my vote should have been the cause of a vacancy in any Congressional district that might have sent friend to freedom, I should say, with Cain, My punishment is greater than I can bear."
On the subject of the present alienation and

iscord between the North and the South, I wish to say that I have as strong a desire for reconcili ation and amity as any one can have. There is no pecuniary sacrifice within the limits of the Constitution, which I would not willingly make for so desirable an object. Public revenues I would appropriate, private taxation I would enrelieve this otherwise thrice-glorious Republic from the calamity and the wrong of slavery. I would not only resist the devil, but he will flee from me, I will build a bridge of gold to facilitate his escape. I mention this to prove that it is not the value, in money, of territorial freedom, for which I contend, but its value in character, in justice, in human happiness. While I utterly deny the claim set up by the South, yet I would gladly consent that my Southern fellow-citizens should go to the territories and carry there every kind of property which I can carry; then give to the Southern States their full share of all the income ever to be derived from the sales of the public lands, or the leasing of the public mines; and whatever, after this deduction, was left in the public treasury, should be appro priated for the whole nation, as has been the practice heretofore. That is, in consideration excluding slavery from the territories, I would give the South a double share, or even a threefold share, of all the income that may ever be de rived from them. Pecuniary surrenders I would gladly make for the sake of peace, but not for peace itself would I surrender Liberty.

It would be to suppose our merchants and man ufacturers void of common foresight, could they believe that concession now will bring security hereafter. By yielding the moral question, they jeopard their pecuniary interests. Should the South succeed in their present attempt upon the territories, they will impatiently await the retireto add the "State of Cuba." with its 500,000 slaves. its ignorance and its demoralization, to their rol of triumph. California will be a free trade State. by the most certain of all biases. They will have to buy,—cradles and coffine, and all between If New Mexico is slave, it will also be free trade: and Cuba as certaily as either,—though in that island facilities for smuggling will reduce the ing. A surrender therefore, by our Northern business men, will be most disastrous to the very business that tempts them to surrender. Will they take no warning from the fact that their apathy in regard to Texas repealed the tariff of 1842? This is a low motive, I admit; but it may be set as a back-fire to the motive by which some of them appear to be influenced. There was no need, not a shadow of need, of perilling any principle, nor any interest. Had the North firm, had they been true to the great principles they have so often and so solemnly proclaimed, the waves of Southern violence would have struck harmless at their feet. He is not learned in the weather who does not know that storms from the South, though violent, are short. We are assailed now because we have yielded before. The compromise of 1820 begat the nullification of 1832; the compromise of 1832 inspired the mad exploit of compassing Texas, which our greater madness made sane. The moral paralysis which failed to oppose the Mexican war, has given us the territories. If the territories are now surrendered, we shall have Cuba, and an indefinite career of concepts and of slavery will be supposed and of slavery supposed.

aract? The South may rule the Union, but they cannot divide it. Their whole Atlantic seaboard is open to attack, and powerless for defence; and the Mississippi river may as easily be divided physically as politically into independent portions. With these advantages, let us never aggress upon

their rights, but let us maintain our own.
Fellow-citizens, I would gladly relieve the darkness of this picture by some gleams of light. There are two hopes which, as yet, are not wholly extinguished in my mind. Beyond all question a compromise bill will be reported by the committee of thirteen, in which free California will be made to carry as great a burden of slavery as she can bear. It is still possible that the House will treat as it deserves this adulterous union. A single vote may give that vote. Not improbably, too, the fate of the bill may depend upon the earnestness and decision, with which Northern constituencies make their sentiments known to their representatives, whether by peti-Let every lover of freedom do his best and his

Should the North fail, I have still one hope more. t is that New Mexico will do for herself what we shall have basely failed to do for her. If both these hopes fail, our country is doomed to run its unobstructed career of conquest, of des-

otism, and of infamy.

I have now, my fellow-citizens, given you my Views and Opinions" on the present crisis in our public affairs. Had I regarded my own feelings I should have spoken less at length; but the subject has commanded me. I trust I have spoken respectfully towards those from whom I dissent, while speaking my own sentiments justly and truly. I have used no asperity, for all my emotions have been of grief and not of anger. My words have been cool as the telegraph while my feelings have been like the lightning that runs through them. The idea that Massa-chusetts should contribute, or consent, to the extension of Human Slavery !—is it not enough, not merely to arouse the living from their torpor the dead from their graves! Were I to help it nay, did I not oppose it with all the powers and faculties which God has given me, I should see myriads of agonized faces glaring out upon me from the future, more terrible than Duncan's at Macheth; and I would rather feel an assassin's, poignard in my breast than forever hereafter to "the air-drawn dagger" of a guilty imagination. In Massachusetts, the great drama of the Revolution begun. Some of its heroes yet survive amongst us. At Lexington, at Concord, and on Bunker Hill, the grass still grows greener where the soil was fattened with the blood of our fathers. If, in the providence of God, we must be vanquished in this contest, let it be by force of the overmastering and inscrutable powers above us, and not by our own base desertion.

I am, gentlemen, your much honored, obliged and obedient servant. HORACE MANN.

## THE NATIONAL ERA. WASHINGTON, MAY 23, 1850

CROWDED.

Long speeches, long letters, and long articles crowd us. We have not noticed half the matters we intended to notice in this number-but the paper won't stretch to suit our desires.

MR. PALFREY.

"Are the children of darkness to be forever much wiser than the children of light? In the recent choice of delegates for the Nashville Convention, I have not seen a single instance where Whig and Democrat have not been chosen as though they were Siamese twins and must go together. But here it often happens, that as soon as one party is known to be in favor of one man, this act alone is deemed a sufficient reason why another party should oppose him. Why can we not combine for the sacred cause of freedom, as they combine for slavery? No thought or desire further from my mind than that of interfering with any man's right of suffrage; but if (which is by no means impossible or perhaps improbable) the fate of New Mexico should be decided by one vote, and my vote should have been the cause of a vacancy in any Congressional District that might have sent a friend to freedom. I should sa Cain, 'My punishment is greater than I can bear. "-Letter of Horace Mann.

Another trial for a Representative in the 4th District of Massachusetts is to be held on the 27th of this month. We hope each voter in that district will pender the impressive and most appro-priate remarks of Mr. Mann. The hour has come when every district in the country should have its Representative in Congress-when freedom may be saved or lost by a single vote. While in Boston a few days since, we were informed that the Democrats, anxious that the contest between freedom and slavery now pending in Congress, should be closed, had come to the conclusion to make no nomination. If they adhere to this reasonable and patriotic policy, there will probably be an election on the 27th instant. There will be, unless the scattering votes should prevent; but, as in the absence of any third regular nomination, no good object could possibly be accomplished by such a course, while immense evil would result, we cannot believe that it will be adopted. People will vote for one or the other of the candidates, or stay at home. Who will be the successful candidate? Who ought to be? The remainder of this session, and the whole of the next session of the present Congress, will, in all probability, be chiefly occupied in the settlement of the present controversy concerning California and the Territories. Who more distinctively, more eminently, more ably, represents the real sentiment of the Anti-Slavery voters of the 4th District in Massachusetts than Palfrey? Who would more quickly perceive "new dangers to freeedom," more intelligently guard against them, more firmly resist insidious or open attempts to extort degrading concessions, more bravely disregard party interests and obligations, when they conflicted with truth and freedom? Let every voter, before he deposites his ballot, answer these questions to his own conscience, and if John G. PAL-PREY be not returned to his seat in Congress, we shall confess that we have greatly misjudged the intelligence of the People of the Fourth District-

THE PRESIDENT AND HIS CABINET .- People are eginning to find out that the President has a will of his own. Some of his considerate friends, as well as his enemies, have been trying for a long while to break up his Cabinet, and the Republic, his special organ, was induced to join in the attempt. But, unexpectedly, the editors of that paper found themselves obliged to sell out on pain of open and contemptuous repudiation; and as for the rest of the disaffected, they are dismissed with the following Buena Vista declara-

tion, from the National Intelligencer of the 14th: " We therefore now state, on the authority of the President, that he lends no countenance to any at-tempt, from whatever quarter it comes, to disturb or unsettle his Administration as it is. All the state ments or inferences to the contrary are utterly

Mr. Clay's very kind presumption that some new light had dawned upon the mind of General Taylor, since he sent in his California message, and recommended the plan of non-action, turns out to be groundless.

ROWDYISM IN NEW YORK -As we were absent during the late disorderly proceedings in New York against the freedom of discussion, we had no opportunity for comment upon them. Passing through that city at the time, we became a witeness of the first riotous demonstration against the meeting in the Tabernacle of those Abolitionists who are represented particularly by Mr. Garrison. It was a contemptible affair. Half a dozen police officers, faithful and resolute, would at any moment have cleared the platform of the rowdies, and restored order to the meeting. Our readers are aware that the subsequent meetings of the Society were constantly disturbed by Rynders and his gang, until it became impossible to proceed with business, and it was obliged to ad-

The same scoundrels undertook to disturb the anniversary of the American and Foreign Anti-Slavery Society, held in the Tabernacle in the afternoon of the same day on which the meeting of the other Society had been thrown into such confusion, but they were speedily overawed by the friends of order and by the presence of the

These riotous proceedings were instigated by of the institution of African slavery, as it exists the diabolical course of Bennett's Herald, which for some time before the anniversaries, openly appealed to the mob to put down free discussion. The people did not respond to its appeals, but its few creatures of the baser sort were emboldened to come forward to the rescue of the Bible, the Sabbath, and the Churches. That they were permitted to disturb and break up peaceable assemblages of the People, reflects the deepest dishonor upon the Mayor and the police of the city of New York. No matter what Mr. Garrison's sentiments are, the man who would prevent him by violence from giving them free expres-A single vote may the turn scale, and Mashouse or jail.

OMNIBUS BILL - DISSENTERS.

Being absent from the city when the Omnibus bill was reported from the Committee of Thirteen, we had no means of judging of the character of the dissent of Southern members, except through the telegraphic reports. Our impression was that the objections taken to the bill by the South were exaggerated, and on examining carefully the full account of the debate that followed the report of the Committee, we find that we were

not mistaken. A brief review of it will serve to show the position of Senators in relation to it.

Mr. Clemens of Alabama gave notice of his intention to offer, at the proper time, the following amendment-"That the line of 360 30' north latitude shall

be, and the same is hereby declared to be, the southern boundary line of the said State of California. Subsequently, Mr. Clemens made sundry obections to the measures reported by the Committee, prefacing them with the remark, that, as he stended to vote against them, he did not choose to appear to sanction them by his silence.

After all, it was against the report, rather than against the bills, that his assaults were aimed; and it is by no means certain that Mr. Clemens, if a few alterations be made in the latter, will not sus-

Mr. Phelps of Vermont, a member of the Committee, said that, as he had anticipated, it was his misfortune to differ from the Committee on most of the prominent features of the report. He did not go into particulars, or intimate whether his dissent in opinion would lead him to oppose the bill. Since then, suffering greatly from illhealth, he has gone home to Vermont, and the promoting Lant he will be abs atdaring & progress of the controversy.

he was not of the majority of the Committee by which the report had been sanctioned-he had not been able to concur in the principal measures recommended. It was evident that he would not commit himself against the bills, but that he regarded them as measures to be held under consideration, with a view of making them still more acceptable to the South.

Mr. Cooper of Pennsylvania said that in the main he concurred in the recommendations of the report and in its provisions; from some he dissented. The main feature of the provisions referred to is, the total abandonment of the Wilmot Proviso. Another important feature is, stringent measures for the reclamation of alleged fugitives from service or labor, without allowing them the benefit of habeas corpus or trial by jury.

Mr. Downs of Louisiana said that his objections to the admission of California with her present boundaries were not yet removed; still, he indicated no invincible opposition to the report and bills of the Committee.

Mr. Berrien of Georgia, another member of the Committee, did not concur in every meas- For, the two distinct measures they propose, proure recommended-but, he trusted that the bills vide, first for the establishment of Territorial in their progress through the Senate would be so modified as to relieve his mind from embarrass

Mr. Mangum of North Carolina sustained the

Mr. Yulee of Florida would not lose a moment in declaring that the measures proposed by the Committee could not receive his support or vote. Mr. Borland of Arkansas avowed his opposition to every essential part of the plan of compromise-to the admission of California with her present boundaries-to the reasons in the report for the omission of the Wilmot Proviso in the Territorial provisions-to the reduction of the boundaries of Texas-to the measure in regard to the reclamation of fugitives from labor. We see not how Mr. Borland can retreat from his position of antagonism to the bills, or how they can be modified so as to accommodate him.

Mr. Houston of Texas favored the reportwas for compromise and the Union. Mr. Cass was pained to see gentlemen commi

themselves so hastily against the report, and Messrs. Dickinson and Bright declared their intention to stand by lt.

Mr. Davis of Mississippi said that he was glad to learn that a majority of the members of the Committee were opposed to the bills, but he had

Now, what man, who is familiar with Southern tactics, believes in the strength of the opposition indicated by these declarations? Messrs. Yulee and Borland have committed themselves against the bills, so positively, so unqualifiedly, that we see not how they can retreat without the deepest discredit to themselves: but, as to the other dissentients, they remain open to conviction, expecting to obtain certain important modifications. Their position was pretty clearly disclosed last Wednesday, on a motion submitted by Mr. Douglas of Illinois, to lay the Omnibus bill on the table, for the purpose of taking up and considering separately the bill for the admission of California as a State. Mr. Douglas said that he intended the motion as a test of the sense of the Senate. Had the Southern Senators cherished any invincible repugnance to the report and measures of the Committee of Thirteen, they would have sustained the motion; but, with a single exception, they voted against it. The yeas and nays

were as follows: YEAS-Messrs. Baldwin, Benton, Bradb Chase, Clarke, Cooper, Corwin, Davis of Massa-chusetts, Dayton, Dodge of Wisconsin, Douglas, Felch, Greene, Hale, Miller, Norris, Seward, Shields, Smith, Spruance, Wales, Walker, Web-

NAVS-Messrs. Atchison, Bell, Berrien, Borhand, Bright, Cass, Clay, Clemens, Davis of Mississippi, Dawson, Dickinson, Dodge of Iowa, Downs, Elmore, Foote, Houston, Hunter, Jones, King, Mangum, Morton, Pratt, Rusk, Soulé, Sturgeon, Turney, Underwood, Whitcomb—28. Yulce, the only Southern man (excepting Mr. Benton) voting to lay upon the table.

The inference is plain : the slaveholding mem hers are determined to hold the measures of the Committee under consideration for the purpose of extorting further sacrifices from the North. They are not satisfied with the abandonment of the Wilmot Proviso, with the purchase of the fraudulent claim of Texas, with the denial of halicas corpus and jury trial to persons on trial for That is not all. In that two days' argument, he their Freedom: they have resolved, if possible, to divide California, with a view to obtain a harbor for slavery on the Pacific, and to wring from the North a provision virtually affirming the right to carry slaves into the Territories, and hold them there. The amendment of which Mr. Clemens gave notice reveals their policy in regard to California, and the following extract from the proceedings of the Senate last Wednesday show what they wish in relation to the Territories :

Mr. Davis of Mississippi. I move to amend the 10th section of the bill, line 6, by striking out the words "in respect to African slavery," and in-serting, "with those rights of property which grow out of the institution of slavery, as it exists in any of the States of the Union." The section, if amended as proposed, would

read as follows:
Sec. 10. And be it, &c, That the legislative
power of said Territory shall extend to all rightful subjects of legislation, consistent with the
Constitution of the United States and the provisions of this act; but no law shall be passed in-terfering with the primary disposal of the soil, nor with those rights of property which grow out effect."

in any of the States of the Union. No tax shall be imposed upon the property of the United States, &c.]

Mr. Douglas. Is it in order to ask for a division of the question?

The Presiding Officer. It is not

The Presiding Officer. It is not.
Mr. Davis of Mississippi. Mr. President,
will briefly state to the Senate my object in moving the ing this amendment. It is to test the sense of the

Senate upon a single question—the right to the service of man; whether the property in slaves, as they exist in the slaveholding States of the Union, shall receive the same protection, shall receive the same countenance in the Senate, and playables in the Government of the Union elsewhere in the Government of the United States, as other property. The language of the bill, as it stands, would seem to exclude property growing out of the institution of African slavery from that protection of the Territorial Legislature which is to be accorded to all other species of property. As I propose to amend it, it will restrict the Territorial Legislature from invading the right of the inhabitants of the slaveholding States, guarantied them—their rights as they hold them under the Constitution—leaving the hold them under the Constitution—leaving the question to be decided according to the cardinal principle of the Democratic party, when the people composing the Territory come to form a State for themselves. It will leave them all the powers necessary, not only for the preservation of their but for preserving the peace of the Territory—those powers essentially necessary to pre-vent disorder, and which would be absolutely necessary, with such property as that, to secure it beneficially to the use of the owner. With this brief explanation, I submit the amendment.

Three distinct bills are recommended by the Committee-one, for the prohibition of the slave trade in the District of Columbia, another, for the reclamation of fugitives from service or labor, another, for the admission of California, the organization of Territorial Governments without the Proviso for New Mexico and Utah, and the purchase of the claim of Texas to New Mexico. The last is the Omnibus bill, so-called : Mr. Clay wishes it to be understood as a Compromise be tween North and South, or, rather, between the Non-Slaveholding and the Slaveholding Interests. Let us not be deceived by words. Three distinct measures are proposed in this Omnibus bill :

First, the admission of California as a State What concession are slaveholders to make on this point? They have always strenuously asserted the right of the People of a Territory, on organizing the form of a State Constitution, to determine whether slavery shall be tolerated or prohibited among them. The Californians have exercised this right, freely, without interference, in forbidding slavery. Compliance with their application for admission as a State, decides no issue between the North and South-is no victory of our former, he defeat of the inter. The South

yields no pretensions; the North secures no right which has ever been contested. In relation to the admission of California as a State, there is no compromise. But, there are two questions on which the

Slaveholding and Non-Slaveholding Interests have been arrayed in distinct, absolute opposition-one, relating to the prohibition by Congress of slavery in the Territories; the other, to the claim of Texas to New Mexico. The slaveholders have constantly insisted that Congress should establish Government for the Territories, without prohibiting slavery by positive act; and that the claim of Texas should be recognised. The nonslaveholders have constantly insisted on positive prohibition by Congress of Territorial slavery, and the non-recognition of the claim of Texas. Mr. Clay steps in as arbitrator, to settle the two points in dispute, by compromise. And what do he and his Committee, in their equal regards for the two parties, propose? To take everything from one, to give everything to the other-to recognise the demands of one, to repudiate those of the other-to decide on both points in favor of the slaveholders, against the non-slaveholders. ments without the Proviso, precisely what slaveholders have demanded and non-slaveholders resisted; and for paying Texas a vast amount of money for her claim to New Mexico, a claim which the slaveholders have asserted to be valid, and non-slaveholders, to be fraudulent and

And this Omnibus bill, one part of which recognises rights about which there has been no dispute, the other portions of which completely decide two great questions in controversy between slaveholders and non-slaveholders, against the demands of the latter, in favor of those of the former, is styled a compromise!

halfinclined to accept the bill, because he imagines that it will secure New Mexico from the grasp of Texas, and give her a chance for Freedom. A precious chance, truly! Suppose the bill passed. New Mexico is contiguous with slaveholding territory, and will be constantly exposed to slaveholding immigration. Can she prevent it? No. Her Territorial Legislature is to be tied hand and foot. The bill says that it shall pass no law in respect to African slavery." The People may see slaves brought into their Territory, kept subject under the iron rule of their masters, worked in the mines, and yet they will be powerless-their Legislature can pass no law to prohibit the introduction of slaves-none, to release them from the power of their masters. It may be said that the courts will hear a demand for Freedom under the old Mexican laws. But, suppose the judges should be from the Southern States, and agree in opinion with the Southern Senators, that the Constitution of the United States abrogates all laws in the new Territories, conflicting with the right of property in slaves? Or, suppose, in common with the whole South, they should assume the validity of the Texan claim to New Mexico, and predicate their decision on the 39th section of the Omnibus bill, which

"The United States cede to the State of Texas all right, claim, and title, which they have to any territory lying south of the line aforesaid (above 340 north latitude;) "and the said State of Texas cedes to the United States any right, claim, or title, which it has to any territory lying north of the said line."

They would argue that the Territory, before its cession by Texas, belonged to that State, was, therefore, slave territory, and that the rights of property, existing antecedently therein, under the sovereignty of Texas, were not affected by the mere act of cession. This, in fact, is the ground already taken by Southern Senators. And is it in this way, New Mexico is to be saved from the curse of slavery?

But, we would call particular attention to the beautiful illustration the bill affords of the doctrine of Non-Intervention, as explained by its author, General Cass. This gentleman in the beginning of the session made a labored argument to show that Congress had no power at all under the Constitution, to establish government for territory belonging to the United States. And then, we find him an active and a concurring member of the Committee of Thirteen, which reports a bill proposing to do precisely what he spent two days in showing could not constitutionally be done - to establish Territorial Governments! contended that to the People of a Territory alone, belonged the right, inherent and indefeasible, to legislate on their own concerns, to determine the character of their own institutions. And next we find him pleading for measures recommended by the Committee of which he was a member, one of which repudiates this alleged inherent and indefeasible right, and assumes for Congress supreme power of legislation in the Territories! Read what follows in the light of of the Cass doctrine of Non-Intervention

"Sec. 27. And be it further enacted, That the legislative power of the Territory shall extend to all rightful subjects of legislation, consistent with the Constitution of the United States, and the provisions of this act ; but no law shall be passed, interfering with the primary disposal of the soil, nor in respect to African Slavery. All the laws passed by the Legislative Assembly and Governor

contradiction to his own theory, and supports a measure that assumes for Congress a power which he denounces as flagrantly unconstitutional and despotic! His followers will doubtless deem it an honor to wallow with him in the same slough of lowly self-abnegation.

But, if the measures recommended by the Committee be so objectionable to non-slaveholders. why are they opposed by slaveholders? For various reasons. Some, by multiplying their demands, calculate upon wringing from the North a still better bargain. Some, are willing to keep all the questions open, for purposes of party agitation, with a view to a dissolution of the Union or to the election of a President in 1852 committed body and soul to the Slave Power. Some cannot bear the idea of free State preponderance in the Senate, and therefore are hostile to any measure which contemplates the admission of California. But, let no man be deceived. If ome slight modifications be conceded, we have no doubt that the majority of Southern Senators will ultimately support the measures of the Committee of Thirteen, and carry them, through the help of a few innocent gentlemen from the North, who can point their constituents to the speeches of Messrs. Davis, Clemens, and Yulee, s evidences of the anti-slavery merits of the socalled compromise.

## THE SOUTHERN ORGAN-TRIBULATIONS OF THE PRESS.

We congratulate the South on the determination of its leading men to meet the opponents of Slavery in the arena of Free Discussion; and it gives us pleasure to know that they have been aided in coming to this reasonable conclusion by the establishment at Washington of the National Era. "There is no paper at the seat of Government," say the signers of the Southern address. through which we can hear or be heard fairly and truly by the country. There is a paper here which makes the abolition of slavery its main and paramount end." "My object," says the Hon. O. S. Kaufman of Texas, explaining in the Pro-Slavery organ here his reasons for signing the address concerning the paper, " was to counteract the effects of the purely Abolition press establi lished here, and to have an organ in which might twa I and sed the ... ... inthis is to deliver in of the most distinguished intellects of the South on the one absorbing question." The editor of the Pro-Slavery press in this city, commenting on a similar statement in his columns by the Hon. Mr. Stanton of Tennessee, remarks-

"We do not object to the establishment, by the signers of the Southern address, of a paper for the objects stated in the address, if they think it is expedient to put the cause of the South upon like footing with the cause of Abolitionism The Abolitionists of the North-not the North as a section—have established a paper in this city to advocate their peculiar and disorganizing principles. And if the signers of the Southern address think the movement of the Abolitionists of such a formidable character as to justify a resort to a similar mode of counteracting them, instead of relying upon the power of the South in debate. as well as the press devoted to the just cause of the South, we do not object." We tender our sympathies to the Union. Once

efore, in vindication of the Freedom of the Press, we found it necessary to take sides with its editor against the Senatorial proscription to which he was subjected on account of an unfortunate paragraph in his paper dealing too freely was unacknowledged on that occasion, we feel no the less disposed now to vindicate his press against the illiberal imputations of his Southern friends who propose starting a new paper. "The Abolition party," these gentlemen say, "can always be heard through its press at the seat of Government, but through what organ or press at Washington can Southern men communicate with the world, or with each other, upon their own peculiar interests?" The imputation agains our neighbor of the Pro-Slavery organ is unjust and ungenerous. Not a more vigilant and loval champion of slaveholding rights, interests, doc-Even the editor of the New York Tribune seems trines, claims, pretensions, breathes in the country. Well does that venerable gentleman ask-

What journal in this wide-spread land has vindicated with greater spirit the rights of the South? Who has repelled with more indomitable energy the infamy of the Wilmot Proviso?the threats to disturb slavery in the District of Columbia? Who has held up with more withering scorn the men who have advocated those alarming measures? What paper has lashed the Abolitionists and Free-Scilers, and the political demagogues who have associated with them, more severely than the Washington Union?"

Aye-and if the subjects of this terrible wrath have escaped utter annihilation, it is only because the Union does not happen to be a thunder-bearer The editors in great tribulation return to the subject the next day, and in a joint editorial magnify their doings and endurings in behalf of

"We have exposed," says the senior editor and denounced the unnatural coalition which has so long existed between the Whigs of the South and the Abolitionists and Free-Soil Whigs of the North. We have exposed and denounced the unnatural combination which bore upon its banner, and supported at the ballot-box, the na of a Southern slaveholder and a Northern Abo litionist, for the two highest offices known to Constitution. And we have exposed and de-nounced the unnatural alliance between the slaveholder and the Abolitionist, as existing in the present Cabinet, and its treachery to the interests of the people of the South in the promulgation and support of a policy which, if successful, cannot fail to deprive the South of its just rights under the Constitution, and degrade it from that position of equality which it has a right to claim

with the other sections of the Union. The senior editor of this paper has waged war with Fanaticism for nearly thirty years—from the moment that she showed her hideous front to a startled nation. He warned his country of the dangers which would arise from this alarming question, in the midst of the controversy which caused Mr. Jefferson, with all his liberal ideas, to sound the toesin against the restriction which was then threatened upon Missouri. On another theatre, he has never failed to warn his country-men against the danger of meddling with this culiar institution of the South. 100 has exhart. ed his countrymen to beware of the only rock on which the Union might be shipwrecked every phasis of this question—whether it came in the form of restriction upon Territories, or of emancipication in this district, or after the Wilmot Proviso was introduced into Congress-he

The junior editor puts in his claim to the gratitude of the South with equal pathos-

"And what has been the course of the junior And what has been the course of the junior editor of this paper during the course of his public career? During a period of six years, commencing with the 1st session of the 26th Congress, he was a member of the House of Representatives from New Hampshire. It was then that the agitation of the slavery question assumed an impor-tance which alarmed the South. It was during that period that the assaults of Messrs. Adams, Giddings, and other abolitionists, upon the insti-tutions of the South, were carried to a degree during that whole period the junior editor of this pa-per voted with the Southern delegations on every pursion offecting their peculiar sectional interests.

During the 1st session of the 26th Congress he voted for the adoption of the 21st rule, prohibiting the reception of abolition petitions, and in subsequent sessions for its continuance, and against its repeal. He voted against the repeal of that rule when Mr. Clingman, now one of the active agents in getting up a Southern press, roted for us repeal. During his whole congressional course, he never gave a vote inconsistent with the Missouri Compromise, nor inconsistent with the principle of non-intervention."

We should feel ourselves guilty of most un neighborly conduct, did we not add our feeble testimony to the great services of the Pro-Slavery organ in this city, in the cause of Human Bondage. Had the question concerned the Preci- insecure. It was the duty of Congress to supply dency, or even the Public Printing, instead of this want. The Territories were exempt from als

An utter repudiation of the doctrine of Gen- the supremacy of the Slave Power, it could not eral Cass! First, Congress is to confer legisla-tive power on the Territorial Government, define its extent, impose specific limitations; and then, it is to reserve to itself complete power of has been to harmonize Democracy and Slavery. revision and abrogation! And General Cass, If it has failed, it is because its purposes have with his usual facility, turns round, gives a flat gone "beyond all man's endeavors." Still it can say with Wolsey,

" Our endeavors Have ever come too short of our desires In consideration of all this, we feel constrained to plead for them, as Cromwell plead for the

" Men so noble However faulty, yet should find respect For what they have been. 'Tis a cruelty To load a falling man."

fallen minister-

But, in our sympathies with our neighbors, we had almost forgotten the Address of the Southern Members of Congress, in behalf of the new paper. They recognise the important fact that Public Opinion" "is the force which has been most potent against us in the war now going on

against the institution of negro slavery." "A common origin, a common language, have made the English literature ours to a great extent, and the efforts of the British Government and people to mould the public opinion of all who speak the English language, have not been vain or fruitless. On the contrary, they have been deeply felt wherever the English language is spoken; and the more efficient and dangerous, because as yet, the South has taken no steps to ap pear and plead at the bar of the world, before which pear and plead at the bar of the world, before which she has been summoned, and by which she has been tried already without a hearing. Secured by constitutional guaranties, and independent of all the world, so far as its domestic institutions were concerned, the South has reposed under the consciousness of right and independence, and for-borne to plead at a bar which she knew had no jurisdiction over this particular subject. In this we have been theoretically right, but practically we have made a great mistake.

We understand, then, that the slaveholders have determined to change their position-that they are about to "appear and plead at the bar of the world "-and, in vindication of their right to hold man as property, and take the fruits of his labor without wages, that the new Southern organ is to be established

"If," say the signers to the address, "as we firmly believe, Truth is with us, there is nothing to discourage us in such an effort. The eventual strength of an opinion is to be measured, not by the number who may entertain it, but by the truth which sustains it. We believe-nay, we know, that the Truth is with us, and therefore we should not shrink from the contest." This is manly, though somewhat over-confi-

dapt It was a greet mistable, to imaging thet keen inquiry could be baffled by haughty Reserve-that Law was a barrier against Moral Power-that Public Opinion could be silenced by Violence. Of Opinion, it may be said, that its going forth is from the ends of the heavens and its circuit unto the ends of it; and there is nothing hid from the heat thereof." No Law can long maintain what Public Opinion steadily condemns. But the "Southern organ" must do something more than maintain "the equality, the lib erty, the existence of fourteen or fifteen States, of the Confederacy "-" the equality of their political position in the Union"-the right of the slaveholding States to be exempt from legislative interference by Congress, or the free States with their domestic concerns. On these points it will find no opponents. It must therefore address itself to the task of vindicating the system of Slavery, on its own merits, as an institution founded in justice, harmonizing with the Declaration of Independence and the principles of Democracy, with the code of Christianity and the spirit of the age, promotive of the best interests of those who exercise and those who endure the prerogatives it confers; in a word, eminently favorable to the physical, intellectual, and spiritual

There is another reason why we hail the establishment of this Southern organ. As the slaveholders have had no special organ here, (except the Union, which is so deeply intent on taking care of State affairs.) we have been obliged to perform double duty, by publishing on both sides of the question. We may now expect to be relieved in this respect; or, at least, perhaps some equitable arrangement may be made, advantageous to both parties, for the exchange of matter between the two organs of Slavery and Freedom. We hope Mr. Butler and his associates will accept of our friendly courtesies in the spirit in which they are tendered. Hostility to their project was to be expected from the old establishments here. Even towards us, philanthropic as were our objects, and unlikely as it was that we should interfere with their interests, they have always given the cold shoulder. What, then, may our Southern friends expect, proposing an

enterprise which crosses their track? If we can be of any service to them in their novel enterprise, we hope they will freely con

## LETTER FROM THE HON. HORACE MANN TO HIS CONSTITUENTS.

The Letter from the Hon. Horace Mann to his constituents, published in this week's Era, presents a bold and faithful view of the "New Dangers to the Cause of Freedom," chief among which is ranked the position of Mr. Webster on the Territorial Question. The Letter is indeed chiefly devoted to a severe and eloquent review of the late speech of that Senator, and the policy it proclaimed. No one who has read the resolutions recently passed by the Legislature of Massachusetts on the subject of slavery, and is familiar with the general tone of the Massachusetts press, can doubt that it speaks the sentiments of the great majority of

the People of that Commonwealth. But one paragraph in the Letter requires from us particular comment. Reviewing the proceeding of the House, at the opening of the session.

Mr. Mann remarks-"Within an hour after the House was organized Mr. Root of Ohio submitted a resolution, instructing the Committee on Territories to report Ter ritorial bills, prohibiting slavery. Many true ill-timed and unfortunate; and though the Hous then refused, by a handsome vote, to lay the resolution on the table, yet when it came up for consideration again, the first decision was reversed by about the same majority. There is abundant proof that the latter vote did not express the true sentiment of the House. Not a few voted against the resolution avowedly because of its paternity thus spiting a noble son on account of its obnoxious father. Others repented of their votes as soon as they came to reflect that the record would where their explanation could not accompa

Mr. Mann leaves it to be inferred that he

greed with those who thought the movement of

Mr. Root "ill-timed and unfortunate," He acknowledges and shows, however, the deplorable results of laying the resolution on the table. The failure of a movement is often received as evidence of want of wisdom in its author, while success satisfies everybody that it was well-timed and well-planued. Mr. Root's resolution failed, not because it was "ill-timed," but precisely be cause some of the Democratic members from the North were pledged opponents of the Proviso and some of the Whigs from the same section. pledged supporters of the President's policy of non-action. These were the men who caused the defeat of the resolution: to them it was "illtimed" in the beginning of the session, and at no period since would they have deemed it welltimed. They stand opposed to the policy contemplated by the resolution, and, therefore, to the resolution itself. Mr. Mann will not urge that its Democratic opponents, are "true friends to freedom" and, if he claim this praise for its Whig opponents, he will hardly, we think, ven-

we hold that Mr. Root's resolution propor the true policy in regard to the territories, and was introduced at the right time. The Territo rice were without government-property and life

ture to assume that their friendship has proved